

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION**

CRIMINAL NO. 5:03CR39

UNITED STATES OF AMERICA)	
)	
)	
VS.)	<u>PRELIMINARY ORDER</u>
)	<u>OF FORFEITURE</u>
)	(SUBSTITUTE PROPERTY)
RICHARD LANE STAHL)	
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THIS MATTER is before the Court on the Government's third motion for a preliminary order of forfeiture.

There having been no response from the Defendant, the Court will grant the motion based on the representations made by the Government in its motion.

IT IS, THEREFORE, ORDERED that the Government's third motion for a preliminary order of forfeiture is **ALLOWED**.

IT IS FURTHER ORDERED that the following real property belonging to the Defendant is hereby **FORFEITED** to the United States for disposition according to law, subject to the provisions of 21 U.S.C. § 853(n):

Lot 3, Sorrento Highlands, Watauga County, North Carolina

448 Howards Knob Road, Boone, North Carolina

IT IS FURTHER ORDERED that, pursuant to 21 U.S.C. § 853(n)(1), the Government shall publish in a newspaper of general circulation notice of this Order; notice of its intent to dispose of the property in such manner as the Attorney General may direct; and notice that any person, other than the Defendant, having or claiming a legal interest in any of the above listed forfeited property, must file a petition with the Court within 30 days of publication of notice or of receipt of actual notice, whichever is earlier. This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in each of the forfeited properties and any additional facts supporting the petitioner's claim and the relief sought. The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in property that is the subject of this Order of Forfeiture, as a substitute for published notice as to those persons so entitled.

IT IS FURTHER ORDERED that, upon adjudication of all third-party interests, the Court shall enter a final order of forfeiture pursuant to 21 U.S.C. § 853(n).

Signed: November 5, 2005

A handwritten signature in dark ink, appearing to read "L. H. Thornburg", is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

